

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** Chair Edward Buttrey, on January 27, 2017 at 8:00 AM, in Room 422 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Edward Buttrey, Chair (R)  
Sen. Dee Brown, Vice Chair (R)  
Sen. Pat Connell (R)  
Sen. Tom Facey (D)  
Sen. Steve Fitzpatrick (R)  
Sen. Daniel R. Salomon (R)  
Sen. Jason D. Small (R)  
Sen. Frank Smith (D)  
Sen. Gordon Vance (R)  
Sen. Gene Vuckovich (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Linda Keim, Committee Secretary  
Jameson Walker, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 25, 1/18/2017; HB 141, 1/18/2017; SB 128, 1/17/2017

Executive Action: HB 25, HB 16 Do Concur; SB 75 Tabled

00:00:09 Chair Buttrey  
00:02:09 Sen. Vuckovich

**HEARING ON SB 128**

**Opening Statement by Sponsor:**

00:02:56 Sen. Daniel Salomon (R), SD 47, opened the hearing on SB 128. Revise pari-mutuel fantasy sports takeout rate and distribution laws.

**Proponents' Testimony:**

00:04:04 Tom Tucker, executive secretary, Montana Board of Horse Racing (MBOHR)  
00:10:04 John Hayes, chair, Montana Board of Horse Racing (MBOHR)  
00:10:19 Neil Peterson, Gaming Industry Association (GIA); also speaking for Ronda Wiggers, Montana Coin Operators

**Opponents' Testimony:** None

**Informational Testimony:**

00:11:17 Angela Wong, director, Montana Lottery

**Questions from Committee Members and Responses:**

00:11:35 Sen. Brown  
00:12:39 Mr. Tucker, MBOHR  
00:13:23 Sen. Facey  
00:13:40 Mr. Peterson, GIA  
00:14:12 Chair Buttrey  
00:14:53 Mr. Hayes, MBOHR, redirect  
00:15:00 Mr. Tucker  
00:16:40 Chair Buttrey  
00:17:47 Mr. Tucker  
00:17:52 Sen. Connell  
00:18:37 Mr. Tucker  
00:19:32 Sen. Connell  
00:19:58 Ms. Wong, Montana Lottery

**Closing by Sponsor:**

00:20:07 Sen. Salomon  
00:20:29 Chair Buttrey

**HEARING ON HB 141**

**Opening Statement by Sponsor:**

00:21:15 Rep. Ryan Lynch (D), HD 76, opened the hearing on HB 141. Provide licensing boards with active supervision in antitrust liability cases.

**[EXHIBIT\(bus20a01\)](#)**

**Proponents' Testimony:**

00:23:16 Judy Bovington, Department of Labor and Industry (DLI)

**[EXHIBIT\(bus20a02\)](#)**

00:34:47 John Gordon, Montana State Electrical Board

00:35:07 Greg Gould, attorney, Montana Dental Association

00:38:56 Bridger Mahlum, Montana Chamber of Commerce

00:39:34 George Johnston, dentist, Dillon; Montana State Board of Dentistry

**[EXHIBIT\(bus20a03\)](#)**

00:41:11 Mark Simonich, Montana Association of Realtors

00:42:56 Holly Franz, Montana Society of CPAs

00:43:26 Eve Franklin, Montana Optometric Association; Montana Podiatric Association;  
Montana Psychological Association

00:44:27 Robin Cunningham, chair, Montana State Board of Outfitters

00:44:54 Greg Dorrington, Montana Medical Association

00:45:14 Jean Johnson, Montana Outfitters and Guides Association

**[EXHIBIT\(bus20a04\)](#)**

00:45:42 Mark Taylor, Montana Chiropractors Association

**Opponents' Testimony:**

00:46:25 Deborah Kimmet, massage therapist, Montana Board of Licensed Massage  
Therapists (MBLMT)

**[EXHIBIT\(bus20a05\)](#)**

01:00:03 Robert Kerrick Murray, private practitioner

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:01:04 Sen. Fitzpatrick

01:04:29 Ms. Bovington, DLI

01:04:56 Sen. Facey

01:08:05 Ms. Bovington

01:08:12 Chair Buttrey

01:08:18 Sen. Facey

01:08:23 Ms. Bovington

01:09:26 Sen. Connell

01:10:49 Chair Buttrey  
01:10:57 Sen. Connell  
01:12:30 Ms. Bovington  
01:13:20 Chair Buttrey  
01:13:24 Sen. Brown  
01:17:08 Ms. Bovington  
01:18:35 Sen. Vuckovich  
01:20:32 Ms. Bovington  
01:21:22 Sen. Connell  
01:22:05 Sen. Facey  
01:24:26 Ms. Bovington  
01:24:40 Sen. Facey  
01:28:43 Ms. Kimmett, MBLMT  
01:29:54 Sen. Fitzpatrick  
01:30:59 Ms. Bovington  
01:31:32 Chair Buttrey  
01:32:12 Ms. Bovington  
01:32:53 Sen. Smith  
01:33:21 Ms. Bovington

**Closing by Sponsor:**

01:33:53 Rep. Lynch  
  
01:37:20 Chair Buttrey  
01:37:30 Rep. Lynch

**HEARING ON HB 25**

**Opening Statement by Sponsor:**

01:38:21 Rep. Ryan Lynch (D), HD 76, opened the hearing on HB 25. Revise reporting for business industrial development corporations.

**Proponents' Testimony:**

01:39:32 Kelly O'Sullivan, Commissioner of Banking

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:40:04 Sen. Brown  
01:40:12 Rep. Lynch  
01:40:23 Chair Buttrey

**Closing by Sponsor:**

01:40:35 Rep. Lynch  
01:41:22 Chair Buttrey

**EXECUTIVE ACTION ON HB 25**

01:42:06 **Motion/Vote:** Sen. D. Brown moved that **HB 25 BE CONCURRED IN**. Motion carried unanimously by voice vote. Sen. Brown will carry the bill.

**EXECUTIVE ACTION ON HB 16**

01:42:36 **Motion:** Sen. D. Brown moved that **HB 16 BE CONCURRED IN**.

**Discussion:**

01:43:02 Sen. Brown  
01:43:42 Chair Buttrey  
01:43:45 Sen. Facey

01:44:02 **Vote:** Motion carried unanimously by voice vote. Sen. Facey will carry the bill.

**EXECUTIVE ACTION ON SB 75**

01:44:15 **Motion:** Sen. D. Brown moved that **SB 75 DO PASS**.

[EXHIBIT\(bus20a06\)](#)

[EXHIBIT\(bus20a07\)](#)

**Discussion:**

01:49:07 Sen. Facey  
01:49:51 Sen. Brown  
01:51:39 Chair Buttrey  
01:52:14 Sen. Smith  
01:52:30 Chair Buttrey  
01:53:24 Sen. Brown  
01:53:51 Sen. Facey  
01:55:07 Sen. Brown  
01:55:57 Sen. Salomon  
01:56:48 Sen. Vuckovich  
01:57:52 Chair Buttrey  
01:58:07 Sen. Brown  
01:59:22 Sen. Vuckovich  
01:59:56 Chair Buttrey  
02:00:01 Sen. Connell

02:03:19 **Vote:** Motion failed 3-7 by roll call vote with Sen. Brown, Sen. Buttrey and Sen. Vance voting aye.

02:03:27     **Motion/Vote:** Sen. Facey moved that **SB 75 BE TABLED**. Motion carried 8-2 by voice vote with Sen. Brown and Sen. Facey voting no.

**Committee Business:**

02:04:14     Chair Buttrey  
02:06:55     Sen. Connell  
02:06:58     Jameson Walker, Legislative Services Division (LSD)  
02:07:24     Chair Buttrey  
02:08:22     Sen. Vuckovich  
02:08:26     Sen. Smith  
02:08:35     Chair Buttrey

**ADJOURNMENT**

Adjournment: 10:10 AM

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Linda Keim, Secretary

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Additional Documents:

**EXHIBIT**([bus20aad.pdf](#))